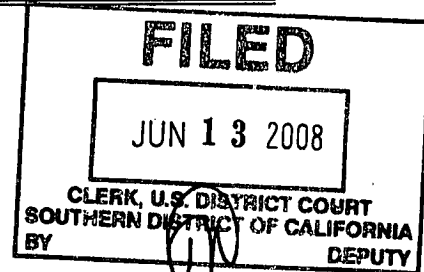


AO 455(Rev. 5/85) Waiver of Indictment



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

GENARO SMITH-BALTIHER

CASE NUMBER: 07CR3161-LAB

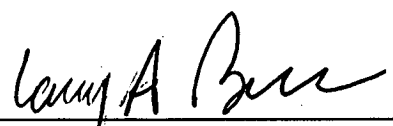
I, GENARO SMITH-BALTIHER, the above named defendant, who is accused of Title 18, U.S.C., Sec. 1001 - False Statement to a Federal Officer (Felony), being advised of the nature of the charge, the proposed information, and of my rights, hereby waive in open court on ^{June 13, 2008}~~April 8, 2005~~ prosecution by indictment and consent that the proceeding may be by information rather than by indictment.



GENARO SMITH-BALTIHER
Defendant



JOSEPH MCMULLEN
Counsel for Defendant

Before 

JUDICIAL OFFICER